



COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

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COMMISSIONER

October 28, 2009

Darryl Hanson
Broadband Manager
Norwood Light Department
206 Central Street
Norwood, MA 02062

Dear Mr. Hanson,

The Department of Telecommunications and Cable ("Department") is interested in clarifying its understanding of Norwood Light Department ("Norwood")'s implementation or use of Voice over Internet Protocol (VoIP) telephone service in the Commonwealth, and the implications of this for Norwood's regulatory status in Massachusetts. The Department is of the belief that Norwood is currently offering facilities-based (or fixed) VoIP telephone services to Massachusetts customers on an untariffed basis. As you may know, the Department has previously expressed its opinion that fixed VoIP telephone service provided on a common carrier basis is subject to the Department's regulatory authority under Chapter 159 of the Massachusetts General Laws, including compliance with the Department's consumer protections set forth in D.P.U. 18448.¹

If, in fact, Norwood is providing fixed VoIP telephone service in Massachusetts on an untariffed basis, in violation of Chapter 159 of the Massachusetts General Laws and the Department's registration requirements, this letter will serve as notice of Norwood's obligation to come into compliance with the above referenced requirements. Accordingly, Norwood is

¹ See, e.g., Letter from Michael A. Isenberg, Director, Competition Division, Massachusetts Department of Telecommunications and Cable, to Stacey L. Parker, Senior Director, Regulatory Affairs, Comcast (November 14, 2008), available at <http://www.mass.gov/dtc> through the following links: Telecommunications Division > Telecom Statutes, Rules, and Notices>Correspondence with Comcast Regarding Regulation of Fixed VoIP.

required to file a tariff and registration statement for its fixed VoIP telephone service within 30 days from the date of this letter.

If you have any questions, please feel free to contact me at 617-368-1101.

Sincerely,

Michael A. Isenberg
Director, Competition Division

cc: Geoffrey Why, Commissioner
Kajal Chattopadhyay, Deputy General Counsel
Karen Robinson, Director, Consumer Division